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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/821,172	03/29/2001	Darin Wayne Higgins	9090.0002-03	4025

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EXAMINER

AMINI, JAVID A

ART UNIT

PAPER NUMBER

2628

DATE MAILED: 05/02/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/821,172

Applicant(s)

HIGGINS ET AL

Examiner

Javid A. Amini

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 October 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) _____ is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16, 18-21 and 23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☒ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>10/7/05</u> . | 6) <input type="checkbox"/> Other: _____ |

Information Disclosure Statement

The information disclosure statement (IDS) submitted on 10/7/2005 was filed after the mailing date of the Notice of Allowance on 12/14/2004. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after allowance or after an Office action under *Ex Parte Quayle*, 25 USPQ 74, 453 O.G. 213 (Comm'r Pat. 1935). Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, prosecution in this application has been reopened pursuant to 37 CFR 1.114. Applicant's submission filed on October 7, 2005 has been entered.

A petition under 37 C.F.R. j 1.313 to withdraw the application from issue has been filed on 10/12/2005.

Oath/Declaration

The oath or declaration is defective dated 9/19/2005. A new oath or declaration in compliance with 37 CFR 1.67(a) identifying this application by application number and filing date is required. See MPEP §§ 602.01 and 602.02.

The oath or declaration is defective because: Darin Wayne Higgins as one of the inventors has not been signed the statement. Also Darin Wayne Higgins considered as one of the inventors of Application 09/537,162, i.e. the current Application is a continuation of the 09/537,162.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-16, 18-21 and 23 rejected under 35 U.S.C. 103(a) as being unpatentable over Hsu US- 5,631,970 (from Applicant's 1449 dated 10/7/2005), and further in view of Hancock et al. hereinafter, Hancock, US-6,202,023 B1.

Re. claim 1, Hsu in fig. 2 as labeled with prior art illustrates five different layers with geographically similar to each other, the preamble of the claim invention claims, as follows: A system for automatically manipulating or annotating a second map when a first map is manipulated or annotated, the second map being geographically substantially similar to the first map, the system comprising; Hsu in fig. 3 step 104 illustrates processing of the layers (i.e. maps) converts vector to raster data and correlates the geometric points. Hsu in the same fig. step 114 illustrates image display. The following parts of the claim invention claims: a map processing platform in communication with the map display, wherein said map processing platform is adapted to; receive a user annotation at a first location on the first map; expressed by first map coordinates; convert from the first map coordinates to corresponding geographic coordinates using a georeferencing function of the first map. Hsu at col. 8 lines 54-65 discloses that the first component of the system (i.e. in fig. 1) is means for accepting various information sources as input to a second-generation GIS system, shown at reference numeral 100. The system accepts

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multiple data sources 100 for one common geographical area. The sources can be existing maps, geo-coded,

socio-economic data such as census tracks, and various images such as LANDSAT and SPOT satellite imagery. The most common information sources are images and maps. This component 100 allows all data to conform to a common format: a layer of information is equivalent to a data matrix. Examiner's note: Hsu at col. 4, lines 16-17 discloses providing an environment for efficient and effective interlayer communication by converting the vector map into raster map. Hsu at the same col. lines 8-10 teaches if the SPOT image information (interpretation: can be similar to manipulating an area in a map) can be converted to one land use layer, the system would still have to handle seven layers of information.

Examiner's comment: Since the reference Hsu implements several layers of information similar to fig. 3, then if a person manipulates an area in one of the layers or maps, the corresponding coordinates would be in the same area associated with manipulated layer, i.e. similar to what claim invention claims, as follows: convert from the geographic coordinates to corresponding second map coordinates using a georeferencing function of the second map: and display the user annotation on the second map at the second map coordinates; Hsu in fig. 3 step 102 discloses the following claim invention as a storage platform coupled to the map processing platform; and Hsu in fig. 3 the system allows the user to perform GIS analysis in a totally automated environment through the use of the expert system 110 and 112 to control the entire object extraction process. The reference Hsu is silenced about geographical coordinates, however, Hancock at col. 10, lines 48-65 discloses allowing locational addresses to be converted to other global addressing systems, is also provided. A further description of the district grid is needed to understand this

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relationship. Each district has a reference point, with the reference point being the approximate center of the city used in naming the district. A grid is placed in relation to the reference point such that the origin of the grid is aligned with the nearest intersection of latitude and longitude lines corresponding to the largest grid resolution in the district. Since the reference point has a known WGS-84 address, by knowing the origin offset, the district rotation, and the district scale, every ULA can be translated into a WGS-84 address, and from there into nearly all locational reference systems. Conversely, every WGS-84 address may be translated into one or more ULAs. The translation is simplified in the subject invention as the district grid system is generally aligned to the WGS-84 latitude/longitude grid. Thus, it would have been obvious to a person skill in the art at the time of the invention to substitute applicant's described structure, by modifying steps of 53, 55 and 77 in fig. 4 and step 49 in fig. 3 of Hancock into Hsu's fig. 3 step 102 in order to achieve what applicant claimed as a claim invention.

Re. claim 2, Hsu in fig. 3 step 114 displays the image data that are connected to each other as shown by arrows.

Re. claim 3, Hsu at col. 11, lines 52-56 discloses that the result of a GIS analysis can be displayed 114 by using a standard graphic adapter such as a super VGA in a PC system.

Re. claims 4, 5 and 7-10, the steps are obvious.

Re. claim 6, Hancock in figs. 14 and 15 illustrates that the map database can either be provided locally by the client 1404, or can be provided remotely through a connection with a server 1510.

Re. claim 11, Hancock in fig. 15 illustrates the step.

Re. claims 12-13, Hancock in the abstract teaches automatically providing services over a computer network, such as the Internet.

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Re. claims 15-16, Hsu in fig. 2 clearly illustrates the step of the claims. See Hsu at col. 3, lines 55-57.

Re. claim 21, see rejection of claim 1.

Examiner's suggestion regarding claim 21: it would be very help full if Applicant specifies the two areas are located side by side or overlapped each other.


Re. claims 18-20 and 23, See rejection of claim 1.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Javid A. Amini whose telephone number is 571-272-7654. The examiner can normally be reached on 8-4pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Razavi can be reached on 571-272-7664. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Javid A. Amini
PRIMARY EXAMINER

Javid A Amini
Examiner
Art Unit 2672

Javid Amini